

## Message Text

UNCLASSIFIED

PAGE 01 STATE 225785  
ORIGIN DRC-01

INFO OCT-01 EUR-12 ISO-00 L-03 SY-05 PA-02 /024 R

DRAFTED BY FADRC/DR:FMMACHAKLB

APPROVED BY O/FADRC:JSPRUDEN

L/M:LAHUMMER

EUR/CE:VSGRAY

A/SY/FO:PJHARRICK

-----051428 210641Z /21

R 202058Z SEP 77

FM SECSTATE WASHDC

TO USMISSION USBERLIN

UNCLAS STATE 225785

E.O. 11652:N/A

TAGS:AINF

SUBJECT:PRIVACY ACT - RELEASE OF INFORMATION

REF: (A) USBERLIN 1638, (B) USBERLIN 2123, (C) 75 STATE

A-4872

1. PRIVACY ACT REQUIRES FEDERAL AGENCIES TO OBTAIN WRITTEN CONSENT FROM INDIVIDUAL BEFORE RELEASING INFORMATION ABOUT HIM UNLESS DISCLOSURE IS CONSISTENT WITH SUBSECTION (B) OF THE ACT. SITUATION DESCRIBED IN REFTEL APPEARS TO FALL UNDER (B)(7) OF THE ACT ,TO ANOTHER AGENCY FOR LAW ENFORCEMENT ACTIVITY IF ACTIVITY IS AUTHORIZED BY LAW, AND IF THE HEAD OF THE AGENCY HAS MADE A WRITTEN REQUEST SPECIFYING THE PARTICULAR RECORD DESIRED AND THE LAW ENFORCEMENT ACTIVITY FOR WHICH THE RECORD IS SOUGHT.'

2. US SECRET SERVICE'S REQUEST DESCRIBED IN REFTEL IS DEFICIENT IN THAT IT DOES NOT SPECIFY THE LAW ENFORCEMENT UNCLASSIFIED

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ACTIVITY FOR WHICH RECORD IS SOUGHT. POST SHOULD NOT RPT NOT RELEASE RECORD TO USSS UNTIL USSS'S REQUEST MEETS FULL REQUIREMENTS OF (B)(7) PROVISION.

3. FOR FUTURE REFERENCE, POST MAY VOLUNTEER INFORMATION TO USSS OR OTHER LAW ENFORCEMENT AGENCY IF POST RECORDS INDICATE VIOLATION OF CRIMINAL OR CIVIL LAW. THIS

DISCLOSURE WOULD BE MADE UNDER (B)(3) OF PRIVACY ACT  
"ROUTINE USE", WHICH ALLOWS FOR DISCLOSURE OF INFORMATION  
TO ROUTINE USERS WHICH HAVE BEEN ESTABLISHED AND PUBLISHED  
IN FEDERAL REGISTER FOR RECORD SYSTEM IN QUESTION.

'PREFATORY STATEMENT OF ROUTINE USERS", WHICH APPLIES TO  
ALL RECORD SYSTEMS, ALLOWS FOR DISCLOSURE OF INFORMATION  
TO ANOTHER FEDERAL, STATE, LOCAL OR FOREIGN AGENCY WHERE  
THERE IS POTENTIAL OR ACTUAL VIOLATION OF LAW INVOLVED,  
WHETHER CRIMINAL, CIVIL OR REGULATORY IN NATURE. (REFTEL  
C).

4. POST SHOULD REMEMBER THAT SUBSECTION (C) OF ACT  
REQUIRES THAT AN ACCOUNTING BE MAINTAINED OF ANY DIS-  
CLOSURES OUTSIDE DEPARTMENT OF INDIVIDUAL'S RECORD.  
ACCOUNTING MUST INCLUDE DATE, NATURE AND PURPOSE OF  
EACH DISCLOSURE. VANCE

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ORIGIN DRC-01

INFO OCT-01 ISO-00 /002 R

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DRAFTED BY FADRC/DR:FMMACHAK  
APPROVED BY O/FADRC:JSPRUDEN  
-----101260 021944Z /42  
R 021743Z NOV 77  
FM SECSTATE WASHDC  
TO AMEMBASSY BONN

UNCLAS STATE 225785

FOLLOWING REPEAT STATE 225785 ACTION USBERLIN SEP 20.

QUOTEUNCLAS STATE 225785

E.O. 11652:N/A

TAGS:AINF

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3. FOR FUTURE REFERENCE, POST MAY VOLUNTEER INFORMATION TO USSS OR OTHER LAW ENFORCEMENT AGENCY IF POST RECORDS INDICATE VIOLATION OF CRIMINAL OR CIVIL LAW. THIS DISCLOSURE WOULD BE MADE UNDER (B)(3) OF PRIVACY ACT 'ROUTINE USE', WHICH ALLOWS FOR DISCLOSURE OF INFORMATION TO ROUTINE USERS WHICH HAVE BEEN ESTABLISHED AND PUBLISHED IN FEDERAL REGISTER FOR RECORD SYSTEM IN QUESTION. 'PREFATORY STATEMENT OF ROUTINE USERS', WHICH APPLIES TO ALL RECORD SYSTEMS, ALLOWS FOR DISCLOSURE OF INFORMATION TO ANOTHER FEDERAL, STATE, LOCAL OR FOREIGN AGENCY WHERE THERE IS POTENTIAL OR ACTUAL VIOLATION OF LAW INVOLVED, WHETHER CRIMINAL, CIVIL OR REGULATORY IN NATURE. (REFTEL C).

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Copy:** SINGLE  
**Sent Date:** 20-Sep-1977 12:00:00 am  
**Decapton Date:** 01-Jan-1960 12:00:00 am  
**Decapton Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Number:** 1977STATE225785  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** FMMACHAKLB  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Legacy Key:** link1977/newtext/t19770942/aaaabjpc.tel  
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**Litigation Code IDs:**  
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**Litigation History:**  
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**Message ID:** 4c8b8741-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN DRC  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 USBERLIN 1638, 77 USBERLIN 2123, 75 STATE 1977  
**Retention:** 0  
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**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1203881  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PRIVACY ACT - RELEASE OF INFORMATION  
**TAGS:** AINF  
**To:** USBERLIN  
**Type:** TE  
**vdkvgwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/4c8b8741-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009